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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11
12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 SUZIE MOY YUEN,
16 Defendant.

17 Case No. 06-CR-00238-JW (PVT)

18 [PROPOSED] ORDER REGARDING
19 SEALED DOCUMENTS IN
20 SUPPORT OF WITNESS'
21 UNAVAILABILITY

22 Hearing Date: June 4, 2007
23 Time: 1:30 p.m.
24 Courtroom: 8
25 Judge: Hon. James Ware
26 Trial Date: TBD
27
28

1 On May 24, 2007, this Court issued an order to show cause as to why the medical
2 declarations of Dr. Nellis Smith and Dr. Michael Jacobs, filed by third-party witness,
3 Mr. Theodore Rosenberg, *in camera* and under seal, should not be unsealed. On May 31,
4 Mr. Rosenberg responded to the Court's order to show cause, requesting that his doctors'
5 declarations remain sealed because they contain personal and private information. Mr. Rosenberg
6 is 98 years old and the declarations address his various chronic medical issues. On May 30,
7 Defendant, Ms. Suzie Moy Yuen, filed a supplemental submission to the Court's order to show
8 cause stating that she had no objection to the Court's maintaining the current seal on the
9 documents filed by Mr. Rosenberg. In his May 31 response, Mr. Rosenberg represented that the
10 Government likewise does not oppose maintaining the current seal.

11 Good cause having been shown, IT IS HEREBY ORDERED that the declarations of
12 Dr. Nellis Smith and Dr. Michael Jacobs REMAIN UNDER SEAL and that the hearing on the
13 order to show cause set for June 4, 2007 at 1:30 p.m. IS VACATED.

14 Counsel for Mr. Rosenberg shall serve copies of Mr. Nellis
15 Smith and Dr. Michael Jacobs' declarations to the Defendant
by Wednesday, June 6, 2007.

Dated: June 1, 2007

James W. Hargan
United States District Judge